

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

ALLERGYFREE FOODS COMPANY, INC.,	}	
Plaintiff,	}	Civil Action File No. 2:09-CV-120-WCO
v.	)	
DAVID MCMAHON,	)	JURY TRIAL DEMANDED
Defendant.	)	
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DAVID MCMAHON,	)	
Counterclaim Plaintiff,	)	
v.	)	
ALLERGYFREE FOODS COMPANY, INC., TODD ROBSON, KELLIE YOUNG, RICHARD CROTEAU, and JOHN DOES 1-10	)	
Counterclaim Defendants.	)	
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**AMENDED MOTION FOR DISBURSEMENT OF FUNDS**

AllergyFree Foods Company, Inc. moves for disbursement of the \$5,000 bond paid into the registry of the court on June 27, 2009, since the case was dismissed on August 9, 2010. Movant requests that the clerk of court return the

\$5,000 bond to AllergyFree Foods Company, Inc., c/o George M. Thomas, Thomas, Kayden, Horstemeyer & Risley, L.L.P., 600 Galleria Parkway, Suite 1500 Atlanta, Georgia 30339 upon the entry of the attached Order.

This 3<sup>rd</sup> day of September, 2010.

Stewart, Melvin & Frost, LLP  
P. O. Box 3280  
Gainesville, GA 30503  
770/536-0101  
770-532-2171 facsimile

s/J. Douglas Stewart  
J. Douglas Stewart  
Georgia Bar No. 681300  
dstewart@smf-law.com  
One of the Attorneys for AllergyFree Foods Company, Inc., Todd Robson, Kellie Young and Richard Croteau

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

ALLERGYFREE FOODS COMPANY, INC.,	Plaintiff,	}	Civil Action File No. 2:09-CV-120-WCO
v. DAVID MCMAHON,			
Defendant.		}	JURY TRIAL DEMANDED
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DAVID MCMAHON,	Counterclaim Plaintiff,	)	)
)			
v.		)	)
ALLERGYFREE FOODS COMPANY, INC., TODD ROBSON, KELLIE YOUNG, RICHARD CROTEAU, and JOHN DOES 1-10		)	)
Counterclaim Defendants.		)	)

**ORDER ON MOTION FOR DISBURSEMENT OF FUNDS**

The Clerk of Court is authorized and directed to draw a check on the funds on deposit in the registry of this court in the principal amount of \$5,000.00 plus all accrued interest, minus any statutory user fees, payable to AllergyFree Foods Company, Inc. and mail or deliver the check to attorney c/o George M. Thomas, Thomas, Kayden, Horstemeyer & Risley, L.L.P., 600 Galleria Parkway, Suite 1500 Atlanta, Georgia 30339.

IT IS SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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William C. O'Kelley  
Senior United States District Judge

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**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

AllergyFree Foods Company, Inc., }  
Plaintiff, } Civil Action File No.  
vs. } 2:09-CV-120-WCO  
David McMahon II, }  
Defendant. }  
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David McMahon II, }  
Counterclaim Plaintiff, }  
vs. }  
AllergyFree Foods Company, Inc., }  
Todd Robson, Kellie Young, Richard }  
Croteau, and John Does 1 – 10, }  
Counterclaim Defendants. }  
\_\_\_\_\_  
)

**CERTIFICATE OF SERVICE**

I hereby certify that on September 3, 2010, I electronically filed the foregoing MOTION FOR RETURN OF BOND ORDER with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to attorneys of record, and I further certify that I have served a copy of such filing to

the below named defendant by U. S. Mail:

**David McMahon  
7380 LOG CABIN ROAD  
CUMMING, GA 30028**

Stewart, Melvin & Frost, LLP  
P. O. Box 3280  
Gainesville, GA 30503  
770/536-0101  
770-532-2171 facsimile

s/J. Douglas Stewart

J. Douglas Stewart

Georgia Bar No. 681300

dstewart@smf-law.com

One of the Attorneys for AllergyFree  
Foods Company, Inc., Todd Robson,  
Kellie Young and Richard Croteau

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